



WEMHH/SB/21 (6/04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/646,109	
	Filing Date	August 22, 2003	
	First Named Inventor	Kontschieder et al.	
	Art Unit	TBD	
	Examiner Name	TBD	
Total Number of Pages in This Submission		Attorney Docket Number	WP 21241 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response Under 37 CFR 1.251 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or individual name	Brian L. Smiler Roche Diagnostics Operations, Inc. Customer No. 23690	
Signature		
Date	20 May 2005	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below <u>OR</u> I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Brian L. Smiler		
Signature		Date	20 May 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kontschieder et al.

Serial No:

10/646,109

Filed:

August 22, 2003

For:

METHOD AND DEVICE FOR MONITORING A MEDICAL
MICROSAMPLE IN THE FLOW MEASURING CELL OF AN
ANALYZER

Art Unit:

TBD

Examiner:

TBD

RESPONSE TO NOTICE UNDER 37 CFR 1.251

Mail Stop: Duplicates
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This reply is in response to the Office communication mailed May 9, 2005.

The copy submitted with this reply is a complete and accurate copy of Applicants' record of all the correspondence between the Office and Applicant for the above-identified application (except for US patent documents), and Applicant is not aware of any correspondence between the Office and Applicant for the above-identified application that is not among Applicants' records.

Applicants respectfully request that the Official Filing Receipt be forwarded to the undersigned attorney, and that this application be forwarded on for review on the merits.

Respectfully submitted,

Brian L. Smiler
Reg. No. 46,458

Customer No. 23690
Phone: 317-521-3295
Fax: 317-521-2883

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Application of:

Application No.:

Filing Date:

Title:

10646109

08/22/03

Direct to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**NOTICE UNDER 37 CFR 1.251 – Pending Application**

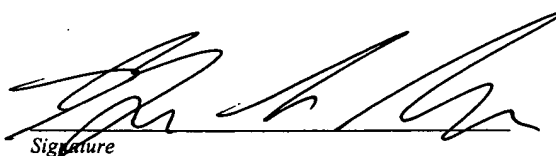
Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

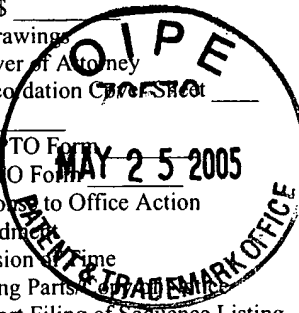
☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

20 May 2005
Date
SignatureBrian L. Smiler
Typed or printed name**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

File/Case No. WP21241US Initials/Date: BS 5/20/05

☒ Patent () Trademark () Application # _____ of pages
() Dep. Acct. Fee of \$ _____
Serial No. 10/646,109 () # _____ sheets of drawings
() Declaration & Power of Attorney
Applicant Kontschieder et al. () Assignment & Recordation Certificate
() IDS/1449/Refs _____
() General Appt. of Representative () Transmittal Form/PTO Form
() Sequence Listing __ Comp. Read () Fee Transmittal/PTO Form
() Cert. Copy of Priority Document () Amendment/Response to Office Action
() English Translation () Preliminary Amendment
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Customer #: 23690

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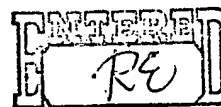
R THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE WILL SERVE AS
T EVIDENCE OF RECEIPT OF THE FOLLOWING DOCUMENTS:

E Inventor(s): Kontschieder, Heinz, et al.
I Serial No.: To Be Assigned
S Filing Date: August 22, 2003
F Entitled: Method And A Device For Monitoring A Medical Microsample In The Flow
E Measuring Cell Of An Analyzer
M Our Ref.: RDID02087US
O

E: Enclosures: Certificate of Mailing by Express Mail (1pp); Utility Patent Application
T Transmittal (Large Entity) (4pp in duplicate), Specification (10pp); 13 Claims (3pp), Abstract
((1pp); Formal Drawings (3pp w/7 Figs.); executed Declaration for Patent Application (4pp
e each); Transmittal of Information Disclosure Statement (2pp in duplicate), Form PTO-1449
1 (1pp), and references listed thereon; certified copy of Austria Appln. No. A1267/2002 (16pp);
G General Appointment of Representative for U.S. Patent and Trademark Office Matters (1pp);
a and return postcard
r

M Mailed on August 22, 2003, via Express Mail Label No. EL566557963US
R

RK:re:js



22388 U.S. PTO

10/646109



08/22/03

File/Case

File/Case No. W.P. 21241 U.S.

Initials/Date: BS 1-3-05

☒ Patent

☒ Patent ☐ Trademark

Serial No.

Serial No. 10/646, 109

Applicant

Applicant Kortschieder et al.

☐ Genl

☐ General Appt. of Representative

☐ Seq

☐ Sequence Listing Comp Read.

☐ Cert

☐ Cert. Copy of Priority Document

☐ Eng

☐ English Translation

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☐ Application # of pages

☐ Dep. Acct. Fee of \$

☐ # sheets of drawings

☐ Declaration & Power of Attorney

☐ Assignment & Recordation Cover Sheet

☒ IDS/1449/Refs

☒ Transmittal Form/PTO Form Suppl.

☐ Fee Transmittal/PTO Form

☐ Amendment/Response to Office Action

☐ Preliminary Amendment

☐ Request for Extension of Time

☐ Response to Missing Parts/Copy of Notice

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